

### REMARKS

Claims 1-6 and 8-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kumar et al. (WO 00/49452) in view of Suzuki et al. (U.S. Publication No. 2002/0080320A1). In response, Applicant amended claim 1 to clarify that none of the section or sections contact both substrates, and respectfully traverse.

Kumar is directed to electrically controllable liquid crystal microstructures. As shown in FIG. 6 of Kumar, the liquid crystal region 54 is between a pair of substrates 24, 24 and electrodes 26, 26. An alignment layer 28 is formed on the lower electrode 26, and the liquid crystal material 56 is formed in a liquid crystal region 54 that also includes a polymer material 58. An interface 60 separates the polymer material 58 in the liquid crystal material 56.

In the outstanding rejection on page 8, item 10 it is asserted that Kumar in view of Suzuki discloses the limitation of a section or sections that do not contact both substrates because Kumar discloses that the liquid crystal-polymer interface occasionally penetrates the liquid crystal volume and binds to the opposing substrate. Since Kumar occasionally binds to the opposing substrate, it is asserted that there is at least a section or sections that do not contact both substrates. Based on this interpretation of Kumar in view of Suzuki, Applicant has clarified that none of the section or sections, which are alignment direction controlling section(s), contact both substrates. Since Kumar at least occasionally binds to the opposing substrate, Kumar fails to have none of the section or sections that do not contact both substrates. Suzuki also fails to disclose or suggest this feature. Suzuki is cited for disclosing

polarizers installed on the outer sides of the substrates. Accordingly, any combination of Kumar and Suzuki now fail to disclose or suggest the features of amended claim 1. For this reason, withdrawal of the §103(a) rejection of claims 1-6 and 8-9 is respectfully requested.


For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely, it is hereby petitioned under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely. The Commissioner is hereby authorized to charge any additional fees which may be required to this Application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

**Customer No. 24978**  
November 12, 2009  
300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
Telephone: (312) 360-0080  
Facsimile: (312) 360-9315  
P:\DOCS\3408\73910\FH2699.DOC

By:   
Joseph P. Fox  
Registration No. 41,760